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FM AMEMBASSY KHARTOUM
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3231
INFO RUCNFUR/DARFUR COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE

UNCLAS SECTION 01 OF 02 KHARTOUM 000339

AIDAC

DEPT FOR AF A A/S CARTER, AF/SPG, AF/C
ADDIS ABABA FOR USAU
DEPT PLS PASS USAID FOR AFR/SUDAN
DEPT FOR AF/SPG, S/CRS, PRM, AF
NSC FOR MGAVIN AND HUDSON
ADDIS ABABA ALSO FOR USAU
DEPT PLS PASS USAID FOR AFR/SP, USAID/W DCHA SUDAN

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [EAID](#) [ASEC](#) [PGOV](#) [PREL](#) [KPKO](#) [SOCI](#) [AU](#) [UNSC](#) [SU](#)

SUBJECT: GOS SOFTENS TONE TOWARD NGOS, BUT CONTINUES TO PLAN FOR
THEIR EARLY DEPARTURE

REF: (A) KHARTOUM 323
(B) KHARTOUM 319
(C) KHARTOUM 311

¶1. (SBU) SUMMARY. During a March 10 meeting, GOS Humanitarian Assistance Commission (HAC) Secretary General Ahmed Adam promised to treat NGOs better during program closures. Adam said that Sudanese police will no longer be involved in close-out procedures, and that HAC will no longer restrict NGO staff access to their own offices and personal residences. Although this shift in tone and attitude by the HAC is positive, it is typical of regime actions after an escalation. Post notes that there are still reported problems with NGO program close-outs, and that the GOS appears to be maintaining its hard line that the expulsions are irreversible. END SUMMARY.

¶2. (SBU) Since the GOS/HAC expulsion order for 13 INGOs on March 4, NGOs have reported numerous instances of GOS intimidation and harassment of NGO staff, seizure of program and personal assets, and limitations on NGO staff movement to offices and personal residences. NGOs have reported that GOS HAC staff followed NGO staff to their offices and guesthouses on several occasions, with the GOS HAC staff remaining outside overnight. NGOs further reported that the GOS HAC had required GOS escorts for all NGO staff movements.

¶3. (SBU) On March 11, staff from NGOs and the UN Office for the Coordination of Humanitarian Affairs met with HAC Secretary General Ahmed Adam. Adam is in charge of coordinating close-out procedures for suspended NGOs. While reiterating that the Sudanese government remains unwilling to reverse the decision to suspend 13 international organizations and dissolve three domestic NGOs, Adam reported that HAC involvement in future close-out procedures will focus on administrative and/or technical issues, rather than investigation of the NGOs and their staff.

¶4. (SBU) Adam apologized for incidents of NGO staff intimidation and harassment and noted that a high-level team from the Ministry of Humanitarian Affairs would visit some NGOs to provide further reassurances of NGO staff safety. Adam said that HAC committees will try to ensure a smooth handover of NGO programs and expressed his hope for maximum cooperation between the NGOs and the government. Adam said that NGOs are entitled to legal assistance and are free to appeal the suspensions, but indicated that appealing the decision may negatively affect the organizations' ability to operate in Sudan in the future. (Note: Several NGOs have told us that their local lawyers were informed by the HAC not to become involved in such appeals. In some instances, NGO lawyers were intimidated into quitting. End Note.) Adam said that Sudanese

police forces will no longer be involved in close-out procedures, except in cases where the HAC submits a specific request. In addition, NGO staff will have unrestricted access to their own offices and private residences and will retain program vehicles until the organizations finish closing their programs. Adam also said that the commission will no longer permit HAC staff to visit NGO staff members' private residences.

15. (SBU) Adam promised that NGOs will receive a letter stating that the HAC has canceled the organizations' registration, and therefore, the HAC will not hold departing organizations responsible for any assets, whether seized or handed over. Adam said that NGOs should dispose of assets per Sudanese law and requested that all NGOs submit detailed lists of seized assets, particularly items seized in field locations (most NGO agreements state that equipment should be turned over to the HAC when programs close.) He also stated that the GOS had returned all passports to international NGO staff (we have confirmed that most passports have, in fact, been returned, but we are aware of at least several passports that has not been returned.) Adam agreed to meet with the NGO Steering Committee every two days and encouraged agencies to contact him directly with any issues or concerns so that he can resolve specific issues.

16. (SBU) Adam said he is seeking advice from the GOS Labor Office to clarify procedures for severance pay for Sudanese staff. (Note: NGOs have reported significant variations in the number of months' salary that the GOS has demanded that the departing organizations pay local staff, ranging from six to 12 months, despite Sudanese labor laws that require only one month's salary following program dissolution and six months' salary following the employer's voluntary termination of staff. In some cases the GOS has demanded cash payments, which the NGOs have resisted. End note.) Adam

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requested that NGOs submit lists of staff remaining in country to ensure improved coordination.

17. (SBU) Comment: Post remains concerned about the treatment of both international and local NGO staff by the regime. In addition to protesting their treatment to several officials verbally, the consular officer has requested to meet with the MFA's Director of Consular Affairs to lodge a formal complaint. However, to date the MFA has stalled and not confirmed a time for the meeting. Despite the HAC's promises to treat the NGOs better as they complete their close-out procedures, we anticipate continued abuses. Moreover, it is clear that the government intends to move ahead with its plans to expel the 13 INGOs from Sudan and has other targets ready - just in case. The government may allow some of the NGOs to delay their departure slightly following the UN-GOS joint assessment in Darfur this week, but appears to view their departure as inevitable. We're not sure what to make of Adam's comment that if the NGOs hire lawyers this might hurt their future ability to operate in Sudan. He appeared to be holding out hope that some might be allowed back in or permitted to stay, but this may just be a tactic to ensure their good NGO behavior on the way out. The regime often cautions organizations and individuals being expelled to go quietly, to not seek diplomatic help, or it will go worse for them. CDA Fernandez, the UK Ambassador, and other donor COMs met with the NGO Steering Committee on March 12 to hear their concerns (septel) and will continue to closely monitor the situation and press the regime for a reversal, as opportunities exist to do so.

FERNANDEZ